

Criminal background checks on applicants for jobs at multi-occupant housing

HB 142 by Blair/Green

DIGEST: Current law provides for employers at subsidized housing projects to obtain criminal histories from the Department of Public Safety (DPS) for persons *applying for* employment at such residential facilities.

HB 142 would have expanded the scope of current law allowing criminal background checks of job applicants to include employment at *all* multi-occupant residences, such as apartments, duplexes, condominiums, motels and hotels, in addition to subsidized housing. HB 142 would not have applied to nursing homes or other related institutions regulated under chapter 242 of the Health and Safety Code.

**GOVERNOR'S
REASON
FOR VETO:** "In our society, the ever-diminishing rights of the individual to privacy in their private lives competes with the right of the public to know specific information about a given individual in the interest of public safety and order. This legislation fails that necessary balancing test in that the public's right to know, in this instance, does not outweigh the individual's right to privacy in his private affairs. If this bill required information on applicants that had been *offered* employment, it would have been more acceptable."

RESPONSE: Rep. Fred Blair, author of HB 142, had no comment.

NOTES: HB 142 was analyzed in the April 12 *Daily Floor Report*.